Amendments To Claims

1.   (Currently Amended) A method for exposure control,
comprising the steps of:
      ~~determining a number of clipped pixels from an image~~
~~scene for one or more of a set of possible exposures;~~
      obtaining a photograph of an image scene for each of
a set of possible exposures;
      determining a number of clipped pixels in each
photograph;
      determining a selected exposure from the possible
exposures such that the photographs obtained using the
possible exposures higher than the selected exposure
~~increase~~ have an increased value for the number and the
photographs obtained using the possible exposures less
than the selected exposure do not have a substantially
~~decrease~~ lower value for the number.

2.   (Currently Amended) The method of claim 1, wherein
~~for each possible exposure~~ the step of determining a
number of clipped pixels comprises the steps of:
      measuring an amplitude of each of a set of pixels in
the ~~image scene~~ corresponding photograph;
      generating a histogram of a number of the pixels
from the ~~image scene~~ corresponding photograph verses the
corresponding amplitude;
      detecting a jump in the number of pixels at a high
pixel amplitude.

3.   (Currently Amended) The method of claim 1, wherein
the step of determining a number of clipped pixels
comprises the steps of:
      setting a starting exposure and determining the
number of clipped pixels from the ~~image scene~~
corresponding photograph for the starting exposure;

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setting a series of increased exposures and determining the number of clipped pixels from the ~~image scene~~ <u>corresponding photographs</u> for the increased exposures;

setting a series of decreased exposures and determining the number of clipped pixels from the ~~image scene~~ <u>corresponding photographs</u> for the decreased exposures.

4.   (Original) The method of claim 1, wherein the step of determining a selected exposure comprises the steps of:

determining a subset of the possible exposures for which the number is relatively unchanged;

determining a first one of the possible exposures higher than the subset for which the number increases.

5.   (Currently Amended) An apparatus for exposure control, comprising:

~~means for determining a number of clipped pixels from an image scene for one or more of a set of possible exposures;~~

<u>means for obtaining a photograph of an image scene for each of a set of possible exposures;</u>

<u>means for determining a number of clipped pixels in each photograph;</u>

means for determining a selected exposure from the possible exposures such that <u>the photographs obtained using</u> the possible exposures higher than the selected exposure ~~increase~~ <u>have an increased value for</u> the number and <u>the photographs obtained using</u> the possible exposures less than the selected exposure do not <u>have a</u> substantially ~~decrease~~ <u>lower value for</u> the number.

6.   (Currently Amended) The apparatus of claim 5,

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wherein ~~for each possible exposure~~ the means for determining a number of clipped pixels comprises:

means for measuring an amplitude of each of a set of pixels in the ~~image scene~~ corresponding photograph;

means for generating a histogram of a number of the pixels from the ~~image scene~~ corresponding photograph verses the corresponding amplitude;

means for detecting a jump in the number of pixels at a high pixel amplitude.

7.   (Currently Amended) The apparatus of claim 5, wherein the means for determining a number of clipped pixels comprises:

means for setting a starting exposure and determining the number of clipped pixels from the ~~image scene~~ corresponding photograph for the starting exposure;

means for setting a series of increased exposures and determining the number of clipped pixels from the ~~image scene~~ corresponding photographs for the increased exposures;

means for setting a series of decreased exposures and determining the number of clipped pixels from the ~~image scene~~ corresponding photographs for the decreased exposures.

8.   (Original) The apparatus of claim 5, wherein the

means for determining a selected exposure comprises: means for determining a subset of the possible exposures for which the number is relatively unchanged;

means for determining a first one of the possible exposures higher than the subset for which the number increases.

9.   (Currently Amended) A digital camera, comprising: image sensor;

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exposure mechanism that provides a set of possible exposures to the image sensor from an image scene;

image processor that <u>obtains a photograph of an image scene for each possible exposures and determines a number of clipped pixels in each photograph and determines a selected exposure from the possible exposures such that the photographs obtained using the possible exposures higher than the selected exposure have an increased value for the number and the photographs obtained using the possible exposures less than the selected exposure do not have a substantially lower value for the number</u> ~~determines a number of clipped pixels from the image scene for one or more of the possible exposures and that determines a selected exposure from the possible exposures such that the possible exposures higher than the selected exposure increase the number and the possible exposures less than the selected exposure do not substantially decrease the number~~.

10. (Currently Amended) The digital camera of claim 9, wherein the image processor determines the number of clipped pixels by using the image sensor to measure an amplitude of each of a set of pixels in the ~~image scene~~ <u>corresponding photograph</u> and then generating a histogram of a number of the pixels from the ~~image scene~~ <u>corresponding photograph</u> verses the corresponding amplitude and then detecting a jump in the number of pixels at a high pixel amplitude.

11. (Currently Amended) The digital camera of claim 9, wherein the image processor determines the number of clipped pixels by setting a starting exposure using the exposure mechanism and then determining the number of clipped pixels from the ~~image scene~~ <u>corresponding photograph</u> for the starting exposure and setting a series

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of increased exposures and decreased exposures using the exposure mechanism while determining the number of clipped pixels from the ~~image scene~~ <u>corresponding photographs</u>.

12. (Original) The digital camera of claim 9, wherein the image processor determines a selected exposure by determining a subset of the possible exposures for which the number is relatively unchanged and by determining a first one of the possible exposures higher than the subset for which the number increases.

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